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| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) |  | Application Number     | 10/777,044            |
|   |  | Filing Date            | February 13, 2004     |
|   |  | First Named Inventor   | Bijan TADAYON, et al. |
|   |  | Group Art Unit         | 2183                  |
|   |  | Examiner Name          | Unassigned            |
| Total Number of Pages in This Submission  |  | Attorney Docket Number | 111325-311 (234900)   |

| ENCLOSURES (check all that apply)   |   |  |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Declaration and Power of Attorney<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Application Data Sheet<br><input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures<br><input type="checkbox"/> A self-addressed prepaid postcard for acknowledging receipt<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks   |   | <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| Firm or Individual name                    | Marc S. Kaufman<br>Registration No. 35,212<br><b>Nixon Peabody LLP</b><br>401 9 <sup>th</sup> Street, N.W., Suite 900<br>Washington, D.C. 20004-2128 |
| Signature                                  |  |
| Date                                       | August 5, 2004   |

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| CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]   |                       |
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|  | Typed or printed name |



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|   |                        |
|---|------------------------|
| In re Patent Application of:              | )                      |
| Bijan TADAYON, <i>et al.</i>              | ) Examiner: Unassigned |
|   | )                      |
| Application No.: 10/777,044               | ) Group Art Unit: 2183 |
|   | )                      |
| Filed: February 13, 2004                  | )                      |
|   | )                      |
| For: Method and Apparatus for Dynamically | )                      |
| Assigning Usage Rights to Digital Works   | )                      |

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Sir:


## **INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 (b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits for the above-referenced application. The listed documents were cited in a communication from the European Patent Office. The Search Report was mailed on April 26, 2004. Copies of the listed documents are attached.

It is requested that the accompanying PTO-1449 be considered and made of record in the above-identified application. To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

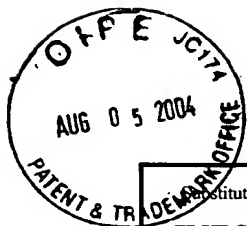
The Commissioner is hereby authorized to charge any fees connected with this filing which may be required now, or credit any overpayment to Deposit Account No. 19-2380. (111325-311/234900)

Respectfully submitted,  
**NIXON PEABODY, LLP**

By:   
\_\_\_\_\_  
Marc S. Kaufman  
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Dated: August 5, 2005

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| Substitute for form 1449A/PTO<br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br>(use as many sheets as necessary) |   |    |   | <b>Complete if Known</b> |                              |
|  |   |    |   | Application Number       | 10/777,044                   |
|  |   |    |   | Filing Date              | February 13, 2004            |
|  |   |    |   | First Named Inventor     | Bijan TADAYON, <i>et al.</i> |
|  |   |    |   | Art Unit                 | 2183                         |
|  |   |    |   | Examiner Name            | Unassigned                   |
| Sheet  | 1 | of | 1 | Attorney Docket Number   | 111325-311 (234900)          |

| U.S. PATENT DOCUMENTS |                          |  |                                |  |   |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | U.S. Patent Document                       | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       |                          | Number - Kind Code <sup>2</sup> (if known) |                                |  |   |
|                       |                          | US - 5,917,912                             | June 29, 1999                  | Ginter, et al.                                     |   |
|                       |                          |  |                                |  |   |
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| FOREIGN PATENT DOCUMENTS |                          |   |                                |  |  |                |
|--------------------------|--------------------------|---|--------------------------------|--|--|----------------|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures<br>Appear | T <sup>6</sup> |
|                          |                          | Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known) |                                |  |  |                |
|                          |                          | EP 0 715 246 A  | June 5, 1996                   |  |  |                |
|                          |                          | WO 01 13198 A   | February 22, 2001              |  |  |                |
|                          |                          | EP 0 818 748 A  | January 14, 1998               |  |  |                |
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| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|---|--------------------------|---|----------------|
| Examiner<br>Initials*                             | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|   |                          | European Search Report dated April 26, 2004<br>(European Patent Application No. 02 739 696.9)   |                |
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|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.